IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

WP(C).No. 33355 of 2006(U)

PETITIONER:

C.VINOD BABU, NITHA WARRIAM ROAD,
ERNAKULAM. PROPRIETOR, M/S.CAPITAL BUILDERS,
ERNAKULAM.

BY ADV. SMT.S.K.DEVI
SRI.R.V.RAGHUNATHAN THAMPURAN

RESPONDENTS:
----

1. THE SALES TAX OFFICER (WC),
DEPT. OF COMMERCIAL TAXES, ERNAKULAM.

2. THE DEPUTY COMMISSIONER (APPEALS),
DEPT. OF COMMERCIAL TAXES,
ERNAKULAM.

BY GOVERNMENT PLEADER SRI.JULIAN XAVIER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C) NO. 33355 OF 2006

Dated this the 15th day of December, 2006

J U D G M E N T

Petitioner is an assessee under the KGST Act, as seen from Exhibit P3. He preferred an appeal Exhibit P4 along with an application for stay, Exhibit P5.

2. The grievance is that stay application though filed as early as on 3rd October 2006, the same is not considered and disposed of and in the meantime he apprehends coercive action to realise the amount as per the assessment order. He seeks appropriate direction to redress his grievance.

3. Heard the learned Government Pleader.

4. In the facts and circumstances, there will be a direction to the 2nd respondent to hear the petitioner and consider and dispose of Exhibit P5 expeditiously, at any rate within a period of two weeks from the date of production of a copy of this judgment. Coercive action, if any taken be kept in abeyance till then.

Writ petition is disposed of as above.

P.R.RAMAN, JUDGE

Rp